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FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

APR 1 4 2008 ALM APR LY 2008 MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT

Anthony	Wheeler,	pro se,) plaintiff,		MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS		
		vs.)	Fed. R. App. P. 08 C 1637	24(a)(1)(C)		
Roger E	. Walker,	et al., defendants.	Hon: Charles P. judge presiding	Kocoras		

MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS

Now comes, Anthony Wheeler, (plaintiff-pro se) and respectfully moves this Honorable Court pursuant to Fed. R. App. P. 24(a)(1)(C) to hereby enter an order granting this Motion For Leave To Appeal In Forma Pauperis, in the above entitled cause of action.

In support thereof, this plaintiff-pro se presents the following issues for review:

The plaintiff was housed in punitive segregation, maximum security unit while on a Court Writ from medium security facility without a violation of any prison rules, notice of charges, a hearing, or due process.

II.

The plaintiff housed housed in a filthy, roach infested cell, with a broken window, badly tattered mattress and malfaunctioning toilet for a period of (14) days for (24) hours a day period, which this plaintiff contends was unfit for human habitation, in gross violation of the 8th Amendment.

III.

The plaintiff was denied any medical attention for the severe flu-like symptons that he suffered while housed in said cold unheated cell during the bitter cold November days.

IV.

The plaintiff was denied cleaning supplies with which to clean the cell that he was assigned to for said period.

V.

The plaintiff contends that their was no penological reason, purpose or objective for housing him in punitive segregation maximum security unit under such harsh and inhumane conditions for said period.

Anthony Wheeler, pro se Reg. #A-81100 P.O. Box 999 Pinkcneyville, Ill. 62274

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)	SS
COUNTY	OF	' PI	ERRY)	

AFFIDAVIT OF INDIGENCY

I, Anthony Wheeler, (affiant) after being first duly sworn, deposes and avers that the attached AFFIDAVIT OF INDIGENCY is true,, accurate and correct and to the very best of my personal knowledge and belief.

In support thereof, this affiant hereby states:

- 1. That he is indigent and lack the funds and/or financial means with which to pay for the cost of the Appeal.
- 2. See in forma pauperis form attached to plaintiff's initial filing which clearly reflect the plaintiff's financial status for the past (6) month period.

SUBSCRIBED AND SWORN TO BEFORE ME
ON THIS 6th DAY OF Gare 2008
AFFIANT: Conthone Wheele
NOTARY PUBLIC:

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, certify to the best of my knowledge, information, and belief, that the attached Document is in full compliance with Rule 720 ILCS 5/32/-2, of the Illinois Law and Criminal Procedure. The undersigned also recognizes that failure to comply with this code may result in committing a Class Three (3) Felony punishable by any Court in the State of Illinois. Pursuant to 720ILCS 5/32-2, of the Illinois Law and Criminal Procedure.

Signed this ________, 2006

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NOTICE, PROOF OF SERVICE

Notice is hereby geven that, I, Anthony Wheeler #A-81100, have filed the attached, NOTICE OF APPEAL, MOTION FOR LEAVE TO APPEAL, IN FORMA PAUPERIS, AND AFFIDAVIT OF INDIGENCY, on this 6th day of 2008. This by depositing same in the mail box at the Pinckneyville Correctional Center, P.O. Box 999, Pinkcneyville, Illinois, 62274.

To: United States District Court Prisoner Correspondent 219 S. Dearborn St. Chicago, Ill. 60602

on this 6th day of April 2008
affiant: Inthony Wheels
notary public: